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FROM USMISSION UNESCO PARIS

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TAGS: [SCUL](#) [ETRD](#) [CJAN](#) [FR](#) [UNESCO](#)

SUBJECT: UNESCO: DIRECTOR GENERAL PROMISES TO SPEAK OUT PUBLICLY IF CULTURAL DIVERSITY CONVENTION IS MISUSED IN TRADE OR HUMAN RIGHTS MATTERS; CITES ISRAELI GAINS IN UNESCO

Classified by USUNESCO Charge Andrew Koss, for reasons 1.4 (b) and (d).

1. (C) Summary. During a October 25 office call, UNESCO Director General Koichoro Matsuura promised Assistant Secretary of State for International Organizations Kristen Silverberg that he would speak out publicly if any UNESCO Member State misused the Convention on the Protection and Promotion of the Diversity of Cultural Expressions ("Cultural Diversity Convention"). He emphasized his determination to guard against use of the Convention to justify interference with the free flow of information or other human rights. Singling out France by name, he also promised to speak out publicly if a State invoked the Cultural Diversity Convention to defend agricultural protectionism.

Matsuura pointed with pride to Israel's successful integration into UNESCO, noting Israel's victory in the hotly contested World Heritage Convention elections. He also thanked Ambassador Oliver for her work in helping to work out the terms of consensus resolutions concerning the historic sites within the Old City of Jerusalem.

End summary.

Cultural Diversity Convention: Matsuura promises to speak out against misuse; sees no Human Rights issues

2. (C) At several points in the conversation, Director General Matsuura stated unequivocally that he sees it as his "duty" to see that Cultural Diversity Convention is implemented in a "correct" manner.

3. (C) The Cultural Diversity Convention protects human rights and press freedom, Matsuura stressed. He quoted from Article 2 (1) of the Cultural Diversity Convention ("No one may invoke the provisions of this Convention in order to infringe human rights and fundamental freedoms as enshrined in the Universal Declaration of Human Rights.") to buttress his conviction that the Convention would not be used to violate human rights. Matsuura stated several times that he would speak out strongly and publicly if any country sought to misuse the Convention to justify practices that did not comport with human rights standards.

4. (C) A/S Silverberg pointed to the tension between protection of minority rights and establishment of cultural policies by a central government. Matsuura responded the Principles of the Cultural Diversity Convention provide for the protection of minority cultures. (Comment. Matsuura, like many participants in the UNESCO cultural diversity debate, appeared genuinely not to apprehend the point that a central government controlled by a majority of one ethnic group often cannot be relied on to protect minority rights of other groups. End comment.)

Matsuura says Convention has no legal effect on Doha, but concedes possible political repercussions

5. (C) Matsuura, a former law professor and a key member of the Japanese negotiating team in the Uruguay Round, emphasized that, as a matter of law, the Cultural Diversity Convention did not affect the Doha Round. He noted that the EC had not made an offer in cultural services in the run-up to Doha and that the EC had imposed audiovisual quotas a long time ago. Nothing about the Convention would change these items. He mentioned that his own country, Japan, had made a conservative agriculture offer, but expressed virtual certainty that Japan would not try to invoke the Cultural Diversity Convention to justify its offer.

6. (C) Matsuura handed an EC Communiqué to A/S Silverberg concerning the Cultural Diversity Convention. He quoted from the language asserting that the Convention will not affect present obligations under trade law and other international obligations. A/S Silverberg noted that the EC Communiqué also said that parties to the Convention would take the Convention into account when in future negotiations. Matsuura conceded that the language concerning the relationship of the Cultural Diversity Convention to

other international legal instruments was a "little contradictory."

17. (C) Matsuura also acknowledged that the political import of the Convention was not limited by a strict legal analysis. He conceded that one "cannot argue categorically that there will be no impact on the Doha Round" from the Convention.

18. (C) A/S Silverberg pointed out that the language of trade was precise, while the phrase "cultural goods and services" was ambiguous and some might try to include agricultural products within its ambit.

19. (C) Matsuura assured A/S Silverberg that the Cultural Diversity Convention did not cover wine and food. Responding to A/S Silverberg's question about what Matsuura would do to prevent misuse of the Convention to protect agriculture, Matsuura undertook to speak out publicly if France or others attempted to use the Convention to engage in agricultural protectionism. He gave his view that the central problem in the current Doha round negotiations is that the EC agricultural offer is "not enough" and that the "problem lies with France."

Matsuura Cites Israeli Gains in UNESCO

10. (C) Matsuura highlighted that Israel, like the United States, had been elected October 11 in a competitive race to fill seats on the prestigious World Heritage Committee, the 21-nation Committee that sets policy for the implementation of the 1973 World Heritage Convention, which includes passing on applications for inclusion on the prestigious World Heritage Sites. (Note. Israel was also selected by Group One (Canada, United States, Western Europe) to be a Group One representative on three subsidiary bodies in UNESCO - the International Coordinating Council of the Programme on Man and the Biosphere (MAB), the Intergovernmental Council of the International Programme for the development of Communication (IPDC) and the Intergovernmental Council of the Management of Social Transformations Programme (MOST) End note). Matsuura also noted that he had received the Israeli Minister of Higher Education and the Israeli Minister of Education during the October 3-21 General Conference. (Note. An Israeli national received November 14 the USD 10,000 grand prize in an annual design contest, launched in 1995 by UNESCO and the Felissimo Group (Japan), which encourages young amateur designers between 18 and 35 years of age to submit projects linked to daily life. Six other competitors received prizes ranging from USD 3,000 to USD 5,000. End note.)

11. (C) Matsuura praised Ambassador Oliver's invaluable assistance during the long hours of negotiation that lead to success in holding together UNESCO consensus resolutions on two contentious matters concerning sites in the Old City of Jerusalem. (Note. See <http://unesdoc.unesco.org/ulis/cgi-bin/ulis.pl?database=gctd&req=2&by=2&ord=1&sc 1=1&look=c fg33&lin=1&dc=33+C%2F13&submit=%A0G0%A0> and <http://unesdoc.unesco.org/images/0014/001406/140609e.pdf> for the text of the resolutions and the underlying reports. End note.)

12. (C) Comment. Matsuura's commitment to take a public stance against misuse of the Cultural Diversity Convention to justify agricultural protectionism is most welcome, especially in the run-up to the Doha Round.

13. (C) Comment Continued. There has been enormous progress over the last two years in integrating Israel into UNESCO's work and programs. A feeling of tentativeness, however, remains. Now might not be the time to talk about Israeli UNESCO successes widely.

Koss